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**DEPARTMENT OF TRANSPORTATION**

**U. S. COAST GUARD**

**STATEMENT OF REAR ADMIRAL WALTER T. LELAND**

**ON REAUTHORIZATION OF THE MAGNUSON ACT**

**HOUSE OF REPRESENTATIVES**

**SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION**

**COMMITTEE ON MERCHANT MARINE AND FISHERIES**

**2 MAY 1989**

DEPARTMENT OF TRANSPORTATION  
U.S. COAST GUARD  
STATEMENT OF REAR ADMIRAL WALTER T. LELAND  
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GOOD MORNING MR. CHAIRMAN. I AM PLEASED TO MEET WITH YOU AND THE OTHER DISTINGUISHED MEMBERS OF THIS SUBCOMMITTEE TO DISCUSS THE REAUTHORIZATION OF THE MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT (MAGNUSON ACT).

IN 1977 THE COAST GUARD BEGAN ENFORCING THE NEWLY ENACTED MAGNUSON ACT. WHAT BEGAN AS A SHOE-STRING OPERATION USING BUOY TENDERS AND AGING CUTTERS HAS DEVELOPED INTO A SOPHISTICATED, HIGHLY TECHNICAL ENFORCEMENT OPERATION--AN EFFORT TO WHICH WE DEVOTE SOME OF OUR MOST MODERN SHIPS AND PLANES.

PRIOR TO THE MAGNUSON ACT, FROM OUR BEACHES WE COULD SEE HUNDREDS OF FOREIGN FISHING VESSELS. THE FUTURE OF OUR NATION'S FISHING INDUSTRY WAS THREATENED BY GROSS OVER FISHING AND DEPLETION OF FISHERY STOCKS. SINCE PASSAGE OF THE ACT, WE HAVE BEEN VERY SUCCESSFUL IN CONTROLLING FOREIGN ACCESS TO OUR FISHERY RESOURCES. BUT THE FUNDAMENTAL NEED FOR THE MAGNUSON ACT, TO ENSURE THE NATION'S FISHERIES ARE PROPERLY CONSERVED, IS STILL OF VITAL IMPORTANCE.

THANKS TO THE MAGNUSON ACT, WE HAVE SEEN A SIGNIFICANT INCREASE IN INITIATIVES TO MANAGE AND CONSERVE OUR FISHERIES RESOURCES. WE NOW ENFORCE 30 FISHERIES MANAGEMENT PLANS AND SIX PRELIMINARY MANAGEMENT PLANS. MOST CONTAIN EXTENSIVE REGULATIONS CONCERNING GEAR SPECIFICATIONS, LIMITS ON FISH SIZE, CATCH SEASONS, AND ENFORCEMENT PROCEDURES. WE HAVE ALSO SEEN HOW TECHNOLOGICAL ADVANCEMENTS CAN IMPROVE FISHERY HARVESTS.

AS YOU KNOW, MR. CHAIRMAN, THERE HAVE BEEN NEEDS FOR THE ENFORCEMENT POWERS OF THE ACT ALL OVER THE UNITED STATES. WE HAVE SEEN HOW SOME TRADITIONAL FISHERY STOCKS, SUCH AS NEW ENGLAND'S YELLOWTAIL FLOUNDER, WERE SIGNIFICANTLY REDUCED AND HAVE NOT RECOVERED..

THE RICH ALASKAN FISHERIES, PARTICULARLY THE AREA KNOWN AS THE DONUT HOLE, ARE STILL THE FOCUS OF MAJOR COAST GUARD ENFORCEMENT EFFORTS. IN THE PACIFIC NORTHWEST, WE HAVE PLANNED OUR MOST EXTENSIVE ENFORCEMENT OF THE PACIFIC SALMON FISHERY REGULATIONS THIS YEAR. WE ALSO HAVE VESSELS ENFORCING FISHERIES PLANS AROUND THE HAWAIIAN ISLANDS AND IN THE PACIFIC TUNA FISHERY. WE'RE ENFORCING THE GULF COAST AND SOUTHEASTERN UNITED STATES SHRIMP AND SNAPPER FISHERIES, AND THE COAST GUARD IS ENFORCING THE RECENT TURTLE EXCLUDER DEVICE (TED) REGULATIONS IN THIS SAME REGION. IN THE NORTHWEST ATLANTIC, WE CONTINUE TO TARGET THE PRIMARY FISHERY AREAS ON GEORGES BANK, THE GULF OF MAINE, AND THE SHELF REGIONS OFF NEW YORK AND NEW JERSEY. RIGHT NOW WE'RE ESPECIALLY INTERESTED IN ENFORCING THE ANNUAL CLOSURE OF THE GROUND FISH SPAWNING AREAS AND THE SCALLOP FISHERY ALONG THE U.S.-CANADIAN DEMARCATION LINE.

THE BASIS FOR THESE VARIOUS MANAGEMENT PLANS AND REGULATIONS IS THE MAGNUSON ACT. THE COAST GUARD IS THE NATION'S LEAD MARITIME LAW ENFORCEMENT AGENCY. WE CAPITALIZE ON OUR BASIC SEAGOING EXPERTISE TO SAFELY CONDUCT THE INHERENTLY DANGEROUS OPERATIONS ASSOCIATED WITH AT-SEA BOARDING AND ENFORCEMENT. WE ROUTINELY RAISE AND LOWER SMALL BOATS IN WINTER SEAS AND COAST GUARD BOARDING PARTIES CLIMB ABOARD ROLLING VESSELS THAT ARE

WORKING THEIR GEAR. THIS OPERATIONAL CAPABILITY, PROVIDED OVER VAST GEOGRAPHIC AREAS, IS NECESSARY BEFORE THE SPECIFICS OF THE REGULATIONS CAN BE ENFORCED.

WHEN THE COAST GUARD INITIALLY BEGAN ENFORCING FISHERIES REGULATIONS, WE WERE DEPENDENT ON NATIONAL MARINE FISHERIES SERVICE (NMFS) AGENTS FOR TRAINING AND EXPERTISE. WE HAVE SINCE DEVELOPED A BASE OF FISHERIES SPECIFIC EXPERTISE AND AN EXTENSIVE BACKGROUND IN FISHERIES LAW ENFORCEMENT THAT HAS GREATLY IMPROVED OUR CAPABILITY AND EFFECTIVENESS. MUCH OF THE EXPERTISE THAT WE DEVELOPED DURING YEARS ON THE FISHING GROUNDS, SUCH AS DETECTION AND BOARDING TECHNIQUES, HAS BEEN DIRECTLY TRANSFERABLE TO HELP FIGHT THE "WAR ON DRUGS."

HOWEVER, EVEN THOUGH DRUG INTERDICTION HAS BEEN MORE VISIBLE IN THE NATIONAL FOCUS, WE HAVE NOT LOST SIGHT OF THE IMPORTANCE OF OUR MISSION UNDER THE MAGNUSON ACT. INDEED, WE CONTINUE TO VIGOROUSLY SUPPORT THE PROVISIONS OF THIS ACT. ALTHOUGH SIGNIFICANT COAST GUARD RESOURCES HAVE BEEN DEVOTED TO DRUG INTERDICTION, WE HAVE BEEN CAREFUL TO RETAIN A STRONG CAPABILITY IN FISHERIES ENFORCEMENT. AND NOW, EVEN AS NEW DRUG INTERDICTION ASSETS ARE COMING ON LINE, WE EXPECT TO INCREASE FISHERIES ENFORCEMENT EFFORTS AS WELL. OF COURSE, THIS ASSUMES THAT THE PRESIDENT'S BUDGET REQUESTS WILL BE FULLY FUNDED.

IN ADDITION TO OUR ROLE AS THE LEAD AT-SEA FISHERIES ENFORCEMENT AGENCY, WE HAVE BEEN VERY ACTIVE IN SUGGESTING IMPROVEMENTS TO FISHERIES MANAGEMENT PLANS. WE ARE OUT THERE WITH THE FISHERMAN. OUR INPUT HELPED ELIMINATE LOOPHOLES THAT ALLOWED ABUSES OF THE NORTHWEST ATLANTIC EXEMPTED FISHERIES

PROGRAM. OUR BOARDING REPORTS ARE OFTEN THE VITAL SOURCE OF INFORMATION THAT SHOWS CATCH TRENDS, AND NEW FISHING TECHNIQUES.

WHILE I HAVE TOLD YOU THAT WE BELIEVE THE MAGNUSON ACT CONTINUES TO BE THE CORNERSTONE OF THE FISHERIES CONSERVATION EFFORT, AND THAT WE WANT TO EXPAND OUR FISHERIES ENFORCEMENT EFFORT, LET ME ALSO SAY THAT WE SHOULD CONTINUE TO TRY TO IMPROVE THE ENFORCEMENT PROVISIONS IN SOME OF OUR FISHERIES MANAGEMENT PLANS.

THE FISHING INDUSTRY IS WELL REPRESENTED ON REGIONAL FISHERY COUNCILS. IN THE RULEMAKING PROCESS, WHEN WE AGREE THAT A PARTICULAR MEASURE IS NEEDED FOR FISHERY CONSERVATION, WE MUST CONTINUE TO TRY TO ENSURE THAT THOSE PROVISIONS ARE ENFORCEABLE. WE WANT TO ENSURE THAT THE EXISTING REGULATIONS EVOLVE SO WE CAN ADHERE TO THE PROPOSED SPIRIT OF THE CONSERVATION MEASURES.

MR. CHAIRMAN, I THINK YOU'LL AGREE THAT MOST FISHERMAN SUPPORT THESE MEASURES DESIGNED TO PROTECT THE FUTURE OF THEIR LIVELIHOOD.

I WILL BE PLEASED TO ANSWER YOUR QUESTIONS.